

## **Appendix A**

### **Jemez y Sangre Water Planning Council Documentation**

## **Appendix A1**

### **Cooperative Agreement for the Jemez y Sangre Water Planning Council**

## **Cooperative Agreement for the Jemez y Sangre Water Planning Council**

The **PURPOSE** of this agreement is to establish a steering committee comprised of local governments, sovereign pueblos, acequias, irrigation districts, advocacy groups, and state and federal water, land and resource management agencies to cooperatively develop a Regional Water Plan (Plan) for the area defined by Exhibit 1 and to plan its implementation.

**WHEREAS**, a Regional Water Plan is a living document that examines all aspects of available water resources and is responsive to the values of the region; and

**WHEREAS**, the planning area in Exhibit 1 contains distinct geographic features that define surface and ground water hydrologic boundaries which encompass many jurisdictional boundaries within the region; and

**WHEREAS**, this region and surrounding regions within the state continue to experience increasing demands on the renewable and finite water resources; and

**WHEREAS**, all sources of water and their respective water qualities are subject to contamination and degradation; and

**WHEREAS**, traditional, cultural and environmental values derived from the historic flows and uses of the region's water are being affected by increased demands; and

**WHEREAS**, certain areas within the region are experiencing declining water levels in the aquifers, and the region's surface water supply is overappropriated, is subject to adjudication and is vulnerable to drought; and

**WHEREAS**, it is critical to balance issues of public welfare relating to quality of life, economic development, preservation (and potential enhancement) of existing traditional, cultural and environmental uses through sound planning and resource management; and

**WHEREAS**, the New Mexico Interstream Commission has provided funding and criteria to aid the region in developing a Plan; and

**WHEREAS**, state statutes provide for local governments, sovereign pueblos, acequias, irrigation districts, agencies and other concerned citizen groups to develop their own long range regional water plan; and

**WHEREAS**, cooperative water planning can provide water management benefits to water users that are not possible through individual isolated approaches; and

**WHEREAS**, it is a vital interest of the jurisdictions, water right holders, water users, sovereign pueblos, and citizen groups within the region to cooperatively develop for future implementation, a Plan to serve as a tool to protect and preserve the region's water resources.

**NOW, THEREFORE**, the signatories to this agreement agree to cooperate in the development of a Plan within their individual authorities, resource capabilities, and legal protections in the following manner:

1. This agreement is only a commitment to work on developing a Plan that addresses water management issues on a regional basis. This agreement does not bind the parties to accepting any of the alternatives or adopting any portion of the plan. Such agreement can be sought once the Plan is developed.
2. Establish a Steering Committee to oversee development of a Plan whereby each party will designate a primary representative and an alternate to participate on the Steering Committee. The commitment will be for a period of approximately two years which is the estimated time to complete the Plan. The representatives will share the interests and concerns of their parties as water management alternatives are developed. The Steering Committee will create the operating procedures of the organization, communicate directly with the governing bodies of the entities, develop the management process for funding, and coordinate the activities of several subcommittees that will perform various tasks needed to develop the Plan.
3. The Steering Committee (or subcommittees) will determine how to incorporate public input in evaluating the various alternatives for water management presented in the Plan. Public participation will be crucial to assessing the complex concept of public welfare.
4. Each party agrees to review and comment on draft versions of the Plan in a timely and responsive manner as determined by the Steering Committee.
5. Signatories to this agreement comprise the initial membership of the Steering Committee.
6. The Steering Committee formed by this agreement shall designate a fiscal agent for the planning process.

This agreement is entered into on the \_\_\_\_\_ day of \_\_\_\_\_, 1998 by and among the signatories listed below.

Signed: \_\_\_\_\_

Title: \_\_\_\_\_

For: \_\_\_\_\_

Primary Representative: \_\_\_\_\_

Alternate Representative: \_\_\_\_\_

## **Appendix A2**

### **Bylaws for the Jemez y Sangre Water Planning Council**

# Jemez y Sangre Water Planning Council

## BYLAWS

### ARTICLE I NAME

The name of this organization shall be the Jemez y Sangre Water Planning Council, hereafter referred to in these bylaws as the Council. The organization was established through the Cooperative Agreement for the Jemez y Sangre Water Planning Council (attached in Appendix A) of these bylaws.

### ARTICLE II PURPOSE OF COUNCIL

The purpose of the Council is to develop a regional water plan, pursuant to the Interstate Stream Commission grant, through a process that takes into *account* the public welfare of the region. The planning region, shown in Figure 1, includes all the northern two-thirds of Santa Fe County, the southeastern portion of Rio Arriba, all of Los Alamos County and very minor portions of Sandoval County. An individual's participation in the planning process through the Council shall not in any way be interpreted as modifying, compromising, or placing at risk any water entitlement, claim or management authority held by the participant's organization independent of the regional water planning process.

### ARTICLE III COUNCIL COMPOSITION

Council members shall be representatives of organizations, such as local governments, sovereign pueblos, acequias, irrigation districts, advocacy groups, and state and federal water, land and resource management agencies who can influence the quality, quantity and availability of surface or ground water. The intent is that the Council members through their affiliation, background and experience will be in a position to develop and implement the water plan. Each individual on the Council must be accountable to an organization that they represent. The organizations represented on the Council are shown in Exhibit A. Any change in composition of the Council will require Council approval as per Article IX.

Individual Council members must meet the above criteria and represent an organization that has signed the Cooperative Agreement. Each organization shall designate an alternate to serve in his or her absence. Individuals, who meet the criteria for Council member, but whose organization has not signed the Cooperative Agreement, may observe and provide input to the Council and subcommittees. Commitment to participate is key to the success of the planning process. Continuity of representation is essential for progress of the planning effort.

To function effectively, the Council is limited in size. However, to ensure adequate public input, an extensive public participation process will be an integral part of the planning process. The Council's makeup should assure that all individuals within the planning region have adequate representation. Any individual that does not think they are adequately represented may address the Council for the need to expand the membership. All Council meetings will be open to the public.

#### ARTICLE IV EXECUTIVE COMMITTEE

The Executive Committee is a working group consisting of Council members who want to participate in proposing amendments to bylaws or operating procedures, establishing agendas for the Council meetings and assisting in fiscal, procurement and other business and administrative issues. The Chairs of each subcommittee will be on the Executive Committee. The Executive Committee will work together to develop recommendations to be presented to the Council. The Executive Committee will elect a Chair that will serve as the Chair of the Council.

The Executive Committee will make minor business/administrative decisions. The Executive Committee will have the power to adjust the budget unless such changes reflect a change in the priorities. The Council must approve a shift of funds from one task to another.

#### ARTICLE V SUBCOMMITTEES

Subcommittees will be formed to perform the various components of the water plan. Each subcommittee will elect a Chair that shall sit on the Executive Committee and coordinate the planning effort with the Water Planning Coordinator.

Each subcommittee will develop a needs assessment, scope of work and tasking schedule with costs to be presented to the Council for concurrence. Each subcommittee's Chair shall coordinate the planning effort related to the subcommittee. Subcommittee members need not necessarily be members of the full Council. The Chair must represent an organization that is represented on the Council.

Each subcommittee will work with the Water Planning Coordinator to follow the City of Santa Fe procurement procedures for subcontracting. If needed, the subcommittees will develop the appropriate scope of work and criteria necessary for requests for proposals and review the responsive proposals. The subcommittee will select the subcontractor through the process established in the request for proposals.



## ARTICLE VI CHAIR

The Chair of the Jemez y Sangre Water Planning Council will be elected by the Executive Committee based on input from the Council. The term for the Chair will be for 6 months and the Chair may be re-elected. The Chair will be responsible for chairing the Council meetings and the Executive Committee meetings. The Chair will work with the Water Planning Coordinator to develop the agenda for the meetings.

## ARTICLE VII WATER PLANNING COORDINATOR

The Water Planning Coordinator shall coordinate the planning effort.

## ARTICLE VIII MEETING NOTICE

Council members will receive at least two weeks advance notice of upcoming meetings.

## ARTICLE IX DECISION MAKING

The Council shall strive to make decisions by consensus. If a clear consensus is not reached, a caucus process will occur to better inform Council members of the issue and determine the cause of the disagreement. As a last resort, any Council member may request a vote. The vote by simple majority of Council members at a meeting at which a quorum exists shall be the act of the Council. Either the Council member or their alternate may cast a vote, but not both. A quorum will be required for any Council decision, regardless of whether it is reached by consensus or vote. A tie will be a losing vote.

Observers may participate in the decision making process by commenting during discussion of the issues. Documentation of minority and/or observer opinion will be recorded and summarized as appropriate.

## ARTICLE X QUORUM

A quorum of the Council shall be more than 50% of the Council members representing 50 % of the organizations as signatory to the Cooperative Agreement.

## ARTICLE X FINANCIAL ADMINISTRATION

The City of Santa Fe shall serve as the fiscal agent for the Council. Procurement must follow City of Santa Fe procurement code.

Exhibit A

# ***Jemez y Sangre Water Planning Council Membership***

Acequia Madre

Bureau of Indian Affairs

Bureau of Reclamation

City of Española

City of Santa Fe

Eldorado Area Water & Sanitation District

Garcia Ditch

La Acequia De La Cañada Ancha

Las Acequias de Chupadero

League of Women Voters

Los Alamos National Laboratories/Department of Energy

Los Alamos County Public Utilities Department

New Mexico Rural Water Users Association

North Central NM Economic Development District

Pojoaque Valley Irrigation District

Rio Arriba County

Rio Grande Restoration

Santa Fe County

Santa Fe Area Home Builders Association

Santa Fe Land Use Resource Center

Santa Fe-Pojoaque Soil and Water Conservation District

State Land Office

1000 Friends of New Mexico